

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

SECOND PUBLIC NOTICE OF AVAILABILITY OF A NUTRIENT MANAGEMENT PLAN AND INFORMATIONAL HEARING AND INTENT TO REISSUE A WISCONSIN POLLUTANT DISCHARGE ELIMINATION SYSTEM (WPDES) PERMIT No.WI-0059072-04-0

Permittee: Wild Rose Dairy LLC, E11310 Buckeye Ridge Road, La Farge, WI, 54639

Facility Where Discharge Occurs: Wild Rose Dairy LLC, E11310 Buckeye Ridge Road La Farge

Receiving Water And Location: Surface water and groundwater within the **Bear Creek- Kickapoo River** Watersheds

On July 30, 2020 the Department Public Noticed its intent to reissue WPDES Permit WI-0059072-04-0 to Wild Rose Dairy LLC. A subsequent hearing was requested. This notice includes the information required to register for the virtual hearing. Registration is required for the virtual hearing.

Brief Facility Description : Wild Rose Dairy is an existing Concentrated Animal Feeding Operation (CAFO). Wild Rose Dairy is owned by Wild Rose Dairy LLC and operated by **David Abt and Dustin Harris**. It currently has **1,784** animal units. **(985 milking and dry cows, 389 heifers and 300 calves)**. Wild Rose Dairy has a total of **2,043** acres available for land application of manure and process wastewater. Of this acreage, **794** acres are owned and **1,249** acres are rented. Wild Rose Dairy has submitted an application for reissuance of their Wisconsin Pollutant Discharge Elimination System (WPDES) permit. The application is complete, and the facility has been determined to be in substantial compliance. This will be the third permit reissuance for this facility.

Wild Rose Dairy has a planned expansion to **2,812** animal units by 2022 **(1,540 milking and dry cows, 648 heifers, and 324 calves)**. With the expansion Wild Rose Dairy plans to construct a new heifer barn, two manure storages, and upgrades to the feed storage area. Plans will be approved by the Department. Wild Rose Dairy has an approved Nutrient Management Plan (NMP) that is written according to WPDES permit and Chapter NR 243 Wis. Adm. Code requirements.

The Department has referred the farm to the Department of Justice (DOJ) for enforcement related to previous discharge events and failing to timely submit a complete application for permit reissuance. The farm has since submitted a complete permit application and is currently in substantial compliance and has fulfilled all requirements for permit reissuance. The enforcement action at DOJ is separate from this permitting action. Issuance of a permit to the farm does not resolve or in any way affect the outstanding enforcement action at the Department of Justice.

The Department has tentatively decided that the above specified WPDES permit should be reissued.

Permit Drafter's Name, Address, Phone and Email: Eric Struck, DNR, 3911 Fish Hatchery Rd, Fitchburg, WI, 53711-5367, 608-422-1512, Eric.Struck@wisconsin.gov

Informational Hearing Date, Time, and Location:

October 13, 2020, 2 pm, Virtual Hearing using Zoom. If you want to attend the hearing, please fill out the registration form at the following link:

<https://zoom.us/j/92639454769>

To call in the day of, after registration, please use the following number and access code:

Meeting ID: 926 3945 4769

Dial by your location: +1 312 626 6799 US (Chicago)

The Department of Natural Resources, pursuant to Section 283.49, Wisconsin Statutes, has scheduled a public informational hearing for the purpose of giving all interested persons an opportunity to make a statement with respect to the proposed permit action, the terms of the nutrient management plan, and the application for this operation.

The hearing officer will conduct the hearing in an orderly fashion and will use procedures specified in Subchapter II of ch. NR 203, Wis. Adm. Code, necessary to insure broad public participation in the hearing.

The hearing office will open the hearing and make a concise statement of the scope and purpose of the hearing and shall state what procedures will be used during the course of the hearing. The hearing officer shall explain the method of notification of the final decision to grant or deny the permit and the methods by which the decision may be reviewed in a public adjudicatory hearing.

The hearing officer may place limits on individual oral statements to insure an opportunity for all persons present to make statements in a reasonable period of time and to prevent undue repetition. The hearing officer may also limit the number of representatives making oral statements on behalf of any person or group.

Informational and clarifying questions and oral statements shall be directed through the hearing officer. Cross-examination shall not be allowed.

Persons wishing to comment on or object to the proposed permit action, the terms of the nutrient management plan, or the application, are invited to do so by attending the public hearing or by submitting any comments or objections in writing to the Department of Natural Resources, at the above named permit drafter's address. All comments or suggestions received from members of the public no later than 7 days following the date of this public hearing will be used, along with other information on file and testimony presented at the hearing, in making a final determination. Anyone providing comments in response to this public notice will receive a notification of the Department's final decision regarding permit coverage. Where designated as a reviewable surface water discharge permit, the U.S. Environmental Protection Agency is allowed up to 90 days to submit comments or objections regarding this permit determination.

Information on file for this permit action, including the draft permit and fact sheet (if required), the operation's nutrient management plan and application may be inspected and copied at the permit drafter's office, Monday through Friday (except holidays), between 9:00 a.m. and 3:30 p.m. Please call the permit drafter for directions to their office location, if necessary. Information on this permit action may also be obtained by calling the permit drafter at (608) 275-3485 or by writing to the Department. Reasonable costs (15 cents per page for copies and 7 cents per page for scanning) will be charged for information in the file other than the public notice and fact sheet. Permit information is also available on the internet at: <http://dnr.wi.gov/topic/wastewater/PublicNotices.html>. Pursuant to the Americans with Disabilities Act, reasonable accommodation, including the provision of informational material in an alternative format, will be made to qualified individuals upon request.

NAME OF PUBLISHING NEWSPAPER: Epitaph-News

ADDRESS OF PUBLISHING NEWSPAPER: 116 E Commercial St. PO Box 295, Viola, WI 54664

Date Notice Issued: September 10, 2020